



NORFOLK

TO: City Council

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COPIES TO: Norfolk General Assembly Delegation; Norfolk Constitutional Officers; Marcus Jones, City Manager; Deputy City Managers; Bernard Pishko, City Attorney; Department Heads

SUBJECT: 2015 Virginia General Assembly Activity Report # 3

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Norfolk's Priority 2015 Virginia General Assembly Legislative Bills

As of today, there 2,397 legislative bills and resolutions introduced. The Council has asked the Administration to work the Norfolk General Assembly to successfully advance the following broad prioritized policy objectives during the 2015 GA Session:

1. Implement the interim recommendations of the Joint General Assembly Study Committee on Recurrent Statewide Flooding.
2. Enhance urban transportation and mobility options and support legislation that better facilitates the construction of the Patriots Crossing/3rd Crossing; light rail expansion; expansion of Norfolk Amtrak Trains 2 & 3; and provision of a dedicated funding source for transit.
3. Hold the City of Norfolk and Norfolk Public Schools harmless from additional cuts and meaningfully enhance state public education and accreditation improvement support.
4. Direct the Joint Legislative Audit and Review Committee to conduct an update study of the current transportation funding provision used by the Commonwealth to allocate transportation funds.
5. Proactively seek clarification regarding the Commonwealth's urban street maintenance payments.
6. Amend the Code of Virginia to provide state funding to local governments for bicycle and pedestrian trail construction and maintenance.
7. Enhance the Commonwealth's support of the Stormwater Local Assistance Fund.
8. Give priority to legislative bills and/or budget amendments that:
 - a. Advance the Hampton Roads Governor's School for Innovation & Entrepreneurship
 - b. Provide funding for the Norfolk Public School Technical High School
 - c. Increase the state's financial support/partnership on behavior and mental health care
 - d. Maintain or enhance HB 599 State support of police departments
 - e. Allows for a Hampton Roads Transportation Advisory Council to provide for a vote-designee under certain circumstances

- f. Preserve redlight camera authority
- g. Enhance veterans workforce integration and efforts to address homelessness
- h. Provide local option to regulate plastic retail bags
- i. Strikes Opportunity Education Institute

Transportation

The Senate is on its way to passing a Constitutional amendment that would require the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds.

Both the House and Senate stopped bills that would base highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic. The House also defeated Delegate Betsy Carr's (D-Richmond) bill to provide that cities and towns receiving highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to two-way bicycle travel lanes. The Senate killed Senator Rosalyn Dance's bills on same subject, though in a kinder and gentler manner by sending a letter to VDOT asking them to review existing policy.

In perhaps the most important transportation legislation filed this session, Appropriations Chair, Chris Jones,' HB1887, a transportation omnibus bill provides an estimated \$40 million annually for transit capital to address the projected 62% drop in funding for public transit expected to occur in the next 2-3 years. This bill redirects existing transportation resources including the gas tax increases, 1 cent of recordation tax, and a portion of the motor vehicle rental tax and would go into effect on July 1, 2016 (FY17). Passage of HB 1887 appears favorable.

Grievance procedure bill no longer a threat

A House bill that would have upset the rules in grievance procedures for many large local governments no longer poses a problem. Del. Tim Hugo removed the worrisome provisions of HB 1744 (Hugo) before presenting it to a House Counties, Cities & Towns subcommittee on Wednesday.

The bill would have stripped local governments of the right to use a hearing officer as the final step of the employee grievance process. Instead, it would have given employees the right to choose a three-member panel as the final arbiter. Even though the subcommittee was uncomfortable with the remaining provisions that affect school system grievance hearings, it sent the bill on to the full committee without recommendation.

Business, Professional, Occupational License (BPOL) Legislation

The House Finance Committee tabled a bill Wednesday afternoon that would have altered how BPOL is calculated and deprived local governments of vital revenue. [HB 1352](#) (Ramadan) would have allow certain taxpayers to deduct from their gross receipts - for BPOL purposes - amounts paid to another

person who is not an employee, pursuant to a subcontract between the taxpayer and such person. The bill would have pushed the BPOL levy toward one based on net income rather than gross proceeds. VML legislative staff thanks all of its members who contacted delegates in the days leading up to the vote.

Budget Amendments Update

Sunday, February 8th, is the deadline for the House Appropriations Committee and the Senate Finance Committee to finish work on amendments to the existing two-year budget that spans July 1, 2014 to June 30, 2016.

The Senate Finance Subcommittee on Education heard a presentation on Thursday from the Virginia Commonwealth University/City of Richmond Public Schools partnership called the Richmond Teacher Residency Program. This program, the subject of Norfolk/VFC's budget amendment targeted to implement the most effective measures to turnaround at-risk schools, is an intensive yearlong medical-style teacher residency that targets teacher recruitment aligned with school district needs.

Money committee members and staff seem very receptive to the budget amendment as well Secretary of Education Holton. Other priority budget amendments were heard in the House Appropriations and Senate Finance Committees this week and are still being considered as of today.

Web link to Virginia 2014-16 Biennium State Budget Amendment Requests by Members:

<http://leg2.state.va.us/MoneyWeb.NSF/Bud2015?OpenForm>

Norfolk Priority 2015 General Assembly Budget Amendments Update

Norfolk is working in a larger coalition of proponents seeking budget amendments on the following prioritized items (not comprehensive):

Aid to Localities Item 471.30 #1s (Alexander, Lucas, Stanley, Colgan); Item 471.30#h (James)-this amendment eliminates the Aid to Local Government Reversion Clearing Account.

HB599 Item 391 #1s (Locke); Item 391#2h (Carr, Preston)-Adjusts House Bill 599 funding in the second year to reflect estimated anticipated 3.1 percent change in total general fund revenue collections from the first year to the second year, in accordance with § 9.1-169(A) of the Code of Virginia.

Education Item 30 #1s (Barker); Item 30#1h (Watts)-Adds the methodology for measuring local ability to pay to the existing JLARC review of the efficiency and effectiveness of schools in Virginia due November 30, 2015, pursuant to Senate Joint Resolution 328 from the 2013 Session of the General Assembly

Item 130 #1s (Vogel) \$1.7 million to provide funding for the first of a three-year phase-in, through the Department of Education to the University of Virginia's Center for Advanced Teaching and Learning, of a voluntary statewide implementation of the Virginia Kindergarten Readiness Project (VKRP), building

on the existing Phonological Awareness Literacy Screening. The assessment is designed to measure Virginia's kindergarten readiness gap. The project is intended to equip teachers with strategies to individualize instruction and provide state policy makers with data and recommendations to inform policy and funding decisions

Item 131 #1s (Alexander, Norment)-On or before August 1, 2015, a Request for Proposals (RFP) that is substantially identical to RFP# DOE-LASTP-2013-04 and that solicits additional sealed proposals from qualified sources to serve as Low Achieving Schools Turnaround Partners on an as-needed, to develop and implement an academic program for one or more of the core discipline areas of mathematics, science, history/social science and language arts for students in persistently low-achieving Virginia public schools.

Item 135 #4s-6s (Watkins/Norment/Dance); Item 135#13h (Hester)-Funding to increase from \$2.4 million to \$9.3 million to cover the full start-up grants of \$300,000 for each school that requested funding for implementing an extended school year program.

Item 135 #7s (Dance)-\$800,000 in funding to Petersburg Schools to maintain implementation of a year-round program at two academically struggling schools, A.P. Hill Elementary School and Peabody Middle School. The funding will be used for the costs of 20 additional school days, including teacher pay, student transportation, fuel, and materials/supplies.

Item 135 #10s (Norment, Dance); Item 135#8h (BaCote, Hester, James, McClellan, Murphy, Plum, Rasoul, Tyler)-\$1,000,000 the second year from the general fund is provided for planning grants for teacher residency partnerships between a university teacher preparation program and one or more school divisions to help improve teacher training for hard-to-staff schools.

Item 136 #6s (Stosch); Item 1#2h (Greason)-Establishes a temporary Joint Subcommittee on VPI Reform to provide recommendations for reforming the Virginia Preschool Initiative and establishing a competency-based professional development pathway for early learning practitioners self-explanatory. a new business model for VPI is needed to ensure effective, targeted financing and policies that promote flexibility, innovation and public-private partnerships.

Item 136 #7s (Favola); Item 136#4h (Sickles)-This amendment changes the percentage of the required local match for the Virginia Preschool Initiative that may come from in-kind services from no more than 25 percent to no more than 75 percent of the required local contribution. Currently, localities provide up to a dollar for dollar match, depending on their composite index of local ability to pay, to draw down Virginia Preschool Initiative funds, with some flexibility to count in-kind benefits, such as investments made in school buildings and capital projects. There is no impact on state dollars

Item 136 #8s (Miller, Vogel); Item 136#24h (Hester)-\$1.5 million to increase the per pupil amount for the Virginia Preschool Initiative for at-risk four-year-olds by 2.0 percent, from \$6,000 to \$6,120. The VPI payments have not increased since 2008 and are not keeping pace with program cost increases.

Item 136 #10s (Barker)-This amendment provides funding to reduce the required local share for the Virginia Preschool Initiative for at-risk four-year-olds by reducing the composite index of local ability-

to-pay, which is used to determine the state and local shares, from the current levels by 0.1000. In addition, the current cap is reduced from 0.5000 to 0.4000.

**Norfolk Priority Budget Amendment
Virginia Preschool Initiative Payments for Inflation
Item 136 #24 H (Delegate Hester)**

- The Virginia Preschool Initiative is a program for at-risk students whose families are impoverished. The Commonwealth should minimally increase funding at the rate of inflation. This is what my budget amendment is trying to address.
- This amendment increases the pupil amount for the Virginia Preschool Initiative for at-risk four-year-olds by 2 percent. ---- from \$6,000 to \$6,120 per pupil.
- The VPI payments have not increased since 2008 and are not keeping pace with program cost increases.
- Low payment rates are one of the main reasons cited by localities for leaving about 25 percent of the program slots unused.
- As a comparison, federal Head Start program rates are based on per pupil funding of about \$8,000. Currently, the program costs about \$74.9 million in the second year that reflects an applied nonparticipation rate of 25.6 percent in the budgeted amount.

**Norfolk Priority Budget Amendment
Extended Year Schools Funding
Item 135, 13 H (Delegate Hester)**

- Extended Year Schools also known as Year Round Schools is an important strategy to help bridge the education achievement gap in the Commonwealth.
- JLARC recommended this strategy for struggling schools with high minority and poverty populations in its report on Year Round Schools in 2013. Extended Year programs improve test scores faster than anticipated, according to the report.
- There has been a tremendous amount of interest by school divisions in adopting extended year school schedules. Unfortunately, the amount of available funding is not enough to meet the demand for implementing extended school years.
- There are up to 15 school divisions with 31 schools that have shown an interest in extended school year schedules. At least 2 school divisions rejected the state start up grants for FY15 due to the prorated amount of funding being inadequate to implement an extended school year schedule and far below the authorized \$300,000 per school.

- This amendment would increase funding in FY16 from \$2.4 million to \$9.3 million to cover the full start-up grants of \$300,000 per each school that requested funding for implementing an extended school year program.

2015 Virginia General Assembly Media Sources

If you are interested to get more details and news reports on what is happening at the state capitol, here are a few links to media sources covering the important topics/legislation this 2015 VA General Assembly Session:

Virginian-Pilot

<http://hamptonroads.com/blogs/pilot-politics>

<http://hamptonroads.com/politics>

Daily Press

<http://www.dailypress.com/topic/politics-government/laws-legislation/02006000-topic.html>

<http://www.dailypress.com/news/politics/>

Richmond Times Dispatch

<http://www.richmond.com/news/virginia/government-politics/>

Virginia Public Access Project

<http://vpap.org/vanews/>

2015 Virginia General Assembly Helpful Web links:

Look up 2015 GA Session Legislative Bills and Resolutions Introduced:

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+men+BIL>

Look up 2015 GA Session Budget Amendments Items Introduced:

<http://leg2.state.va.us/MoneyWeb.NSF/Bud2015>

Virginia House/Senate General Assembly Member Contact Info:

<http://lis.virginia.gov/151/mbr/MBR.HTM>

Virginia House/Senate Legislative Committees:

<http://lis.virginia.gov/151/com/COM.HTM>

2015 Virginia General Assembly Daily Meeting Calendar:

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+oth+MTG>

Virginia House of Delegates Live Session Video Stream:

http://virginia-house.granicus.com/ViewPublisher.php?view_id=3

Virginia Senate Live Session Video Stream:

http://virginia-senate.granicus.com/ViewPublisher.php?view_id=3